

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ANTONIO M. MCINTOSH,

Plaintiff,

Case No. 14-cv-10385  
HON. GERSHWIN A. DRAIN

v.

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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**ORDER ACCEPTING AND ADOPTING REPORT AND RECOMMENDATION [#19].  
DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [#16], AND  
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT [#18]**

This matter is before the Court on the Parties' Cross-Motions for Summary Judgment as to Plaintiff Antonio McIntosh's claim for judicial review of Defendant's, Commissioner of Social Security, denial of her application for disability insurance benefits. The matter was referred to Magistrate Judge Charles E. Binder, who issued a Report and Recommendation on October 17, 2014, recommending that the Court deny Plaintiff's Motion for Summary Judgment, grant Defendant's Motion for Summary Judgment, and affirm the Commissioner's findings. Neither Party has filed objections to the Magistrate Judge's Report and Recommendation, and the time for filing objections has expired. *See* 28 U.S.C. § 636(b)(1)(C).

Upon review of the Parties' briefing and the Magistrate Judge's Report and Recommendation, the Court concludes that the Magistrate Judge reached the correct conclusion. Therefore, the Court hereby **ACCEPTS** and **ADOPTS** Magistrate Judge Binder's October 17, 2014 Report and Recommendation [#19] as this Court's findings of fact and conclusions of law.

Defendant's Motion for Summary Judgment [#18] is **GRANTED**. Plaintiff's Motion for Summary Judgment [#16] is **DENIED**.

This cause of action is DISMISSED.

IT IS SO ORDERED.

Dated: November 25, 2014

/s/Gershwin A Drain  
Hon. Gershwin A. Drain  
United States District Court Judge